

**Town of Rockport Planning Board
Meeting Minutes
Thursday, December 16, 2021 – 5:30 p.m.**

Geoffrey A. Parker Conference Room
Rockport Opera House
Meeting Televised on Channel 22
Streamed on Livestream.com

Board Present: Chair Joe Sternowski, John Viehman, Victoria Condon, David Pio, Mark X Haley II, Thomas Laurent.

Board Absent: Carter Skemp.

Staff Present: Planner and Community Development Director, Orion Thomas, Videographer Bruce Hilsmeier.

Chair Sternowski called the meeting to order at 5:31 p.m. with a quorum. He determined that no member had a conflict of interest with any item on this agenda.

Item # 1: Findings of Facts to be finalized for 200 West LLC, represented by the owner of the property, Jonathan Goss. The owner of the property is proposing to create a three-lot subdivision for mixed business and residential use. This property is located at Map 26 Lot 00 and is located in zone district 907.

Ms. Condon and Mr. Pio both elected to abstain from voting on these findings of fact as they were not present for the previous meeting.

The applicant showed sufficient proof that they had meet the conditions of the Planning board's approval.

Motion: Mr. Viehman moved, seconded by Mr. Haley, that the board approve the application for 200 West LLC. to create a 3-lot subdivision for mixed business and residential use located at Map 26 Lot 00 in zone district 907.

As previously stated, Ms. Condon and Mr. Pio abstained from this vote due to their absence.

Carried 4-0-0

Item # 2: Consideration of a letter allowing the owner of Lot 16 in Spruce Mountain Subdivision, Stephen Spearin, to build in the designated "Restricted Buffer Zone" on the property. This request is a stipulation on the Site Plan. This property is located at 9 Stoney Hill Rd, Rockport ME 04856 in the Rural Zone District 908.

Mr. Spearin briefly described his situation to the board and explained that he would like to build in the restricted buffer zone enforced by his subdivision.

The board discussed how this might be done and determined that there must be an attempt to contact or get the consent of the other members of the subdivision. However, as the subdivision no longer had an HOA the board was unsure of how to proceed. Chair Sternowski advised the applicant to speak with the town attorney to determine the right course of action.

The board also discussed documenting their final decision so that it could be referred to in the future if the need arose.

Item # 3: Consideration of a subdivision amendment to the Bay Ridge Phase IV subdivision, amending a lot line between Brenda Seeber's (the applicant) and Richard Nightengale's properties. The applicant is being represented by Mark Ingraham. The applicant's property is located at 4 Hawthorn Dr. Rockport, ME 04856, and is in the Residential Zone District 904 and the Chickawaukie Lake 914 Overlay.

Mr. Ingraham briefly described the issue concerning Ms. Seeber's and Mr. Nightengales' properties and proposed that the two parties swap and equal amount of land. This swap would ensure that neither party would lose a piece of their land.

The board reviewed section 9 of the Land Use Ordinances at the suggestion of Mr. Thomas, however there were no conflicts with this application.

Motion: Mr. Haley moved, seconded by Mr. Viehman, that the changes as proposed are acceptable.

Ms. Condon suggested adding that it was compliant with section 9.

Motion: Mr. Haley moved, seconded by Mr. Viehman, that the application of the Bay Ridge Phase IV subdivision meets article 9 revisions to approved plans.

Carried 6-0-0

Item # 4: Approval of Minutes: 10-28-2021, and 11-18-2021

Motion: Mr. Haley moved, seconded by Mr. Viehman, to approve the 10-28-21 meeting minutes.

Ms. Condon and Mr. Pio abstained from the vote because they were not present for this meeting.

The board also discussed the deadline for the final draft of the minutes and decided that it should be the Monday before the monthly meeting.

Carried 4-0-0

Motion: Mr. Viehman moved, seconded by Mr. Haley, to approve the 11-18-21 meeting minutes and amended and edited.

Ms. Condon and Mr. Pio abstained from the vote because they were not present for this meeting.

Carried 4-0-0

Item # 5: Other Business

- A. The board discussed the ongoing ORC activities.
- B. Chair Sternowski brought up the possibility of the hotel issue coming before the board again. The board discussed they should do in that event.

Item # 6: Adjournment

Motion: Mr. Haley moved to adjourn, seconded by Mr. Pio.

Carried 6-0-0 The meeting was adjourned at 6:45 p.m.

Respectfully Submitted,

Regan E. Crowe
Recording Secretary